



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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SFUND RECORDS CTR
2228530

Intro

#9

King's Tut (Carolyn)

#4, 6, 8, 13

Navajo Abandoned Uranium Mines Project # 15, 16

Action Items Status Report

June 1994

On January 25, 1994 Region 9 met with representatives from the Office of Surface Mining, Navajo Abandoned Mine Land Reclamation Department and the Navajo Superfund Program to discuss the issue of abandoned uranium mines (AUMs) located on Navajo Nation lands. A product of that meeting is a list of action items that are to be worked out in order to address the AUM sites. The purpose of this report is to provide the current status of the action items for the subject project and it is primarily focused on Region 9's efforts. The status for each item is presented in the following manner: the specific action to be taken, identification of the responsible party for the action item, the current status, and the next steps to be taken.

Action Items

1. NSP and NAMLRD finalize the Work Plan and all tasks included.

Responsible Party: OSM/NAMLRD/USEPA/NSP

Current Status: The development of and the agreement on the Work Plan was to be a cooperative effort between NAMLRD and NSP. NAMLRD has not supported the NSP in a good faith effort in this activity. They have not agreed upon a joint work plan for the project. Thus, NSP has submitted a work plan, which has been approved by USEPA, as well as an estimated budget for the site assessment part of the project. While some of the work can and is being funded through the PA/SI cooperative agreement, additional funding will be needed to address both time critical and non-time critical removals.

Next Steps: NSP should move forward and implement the PA/SI activities. This will identify which areas and/or sites need additional response actions.

2. Complete the Abandoned Uranium Mines (AUMs) inventory.

Responsible Party: NAMLRD and NSP

Current Status: Unknown

Next Steps: Unknown

3. (a) Conduct files review to identify sites with ground water, environmental, and/or health impacts. (b) Develop a common database.

Responsible Party: NAMLRD and NSP

Current Status: NSP has completed duplicating NAMLRD files to gather background information on the potential sites.

Next Steps: Review of files and identification of sites that require additional work and/or CERCLA actions.

4. Agreement on radiological standards.

Responsible Party: OSM/NAMLRD/USEPA/NSP

Current Status: The Office of Surface Mining provided USEPA with the NAMLRD's Health Physics and Instrumentation Monitoring Plan which identifies the radiological standard that NAMLRD is using at the reclaimed AUM sites. The NAMLRD standard is 25 pCi/g above background. The USEPA standard is 5 pCi/g above background in residential areas as identified in 40 CFR 192. This is a health-based standard. Steve Dean in our Office of Radiation Programs is in the process of researching the applicability of radiological standards and action levels for residential areas, for agricultural and grazing areas, and for rural type areas. The evaluation of the relevant collected data will be used to establish the appropriate standard. A copy of the findings will be provided to each office for review and comment.

Next Steps: Complete the evaluation of the data and share the findings of the report.

Formal process for coordination and communications - Quarterly meetings agreed to by all.

Responsible Party: NSP will take the lead in setting up the meetings.

Current Status: NSP is currently coordinating the meetings and preparing and distributing the meeting notes to attendees.

Next Steps: This is an on-going activity.

6. Prepare a ground water study proposal. The Navajo Nation's Washington Office will send forms for a Congressional appropriation-- a brief proposal is needed by February 17, and could be based on NAMLRD's 1989 proposal. USEPA will look at their funding to see what is available. The Clean Water Act, the Safe Drinking Water Act, and the Department of Energy are possible sources.

Responsible Party: OSM/NAMLRD/USEPA/NSP/Congressional

Representatives

Current Status: Funds are not available under the Clean Water Act for this study. However, we learned that the US Geological Service (USGS) conducted a geohydrology and water chemistry study for the NAMLRD in the Monument Valley and Cameron mining areas of the Navajo Nation this year. The document only covers information they could find out from existing wells, but it does not include monitoring for radionuclides. The study proposed to do more geochemistry and to put in additional monitoring points but the additional work was not approved for implementation by the NAMLRD. The USGS is working on another water study on the Puerco River in the Eastern Agency and not the whole reservation. At this time, the USGS may be a resource for potential funding for a broader study. They have the technical capability to propose such a nation-wide study.

Next Steps: Recommend follow-up with the USGS for their availability to conduct additional ground water surveys on the Navajo lands.

7. Revise Navajo Nation Reclamation Plan to cover work at Priority 3 sites.

Responsible Party: NAMLRD/OSM

Current Status: NAMLRD has revised the Navajo Reclamation Plan to include work at sites that have environmental degradation. The Office of Surface Mining has distributed the Navajo Reclamation Code and the Navajo Reclamation Plan for review and comment by the general public. Comments were due in their Albuquerque Office by June 17, 1994. USEPA and NEPA have submitted comments to OSM.

Next Steps: OSM will review comments and address them as appropriate.

8. Bluewater emergency response follow-up. NSP and USEPA will determine needs for future action.

Responsible Party: NSP and USEPA

Current Status: According to Bill Nelson (ATSDR), all recommendations proposed by the ATSDR have been addressed and completed by either Region 9 or the ATSDR. Of the eleven recommendations, all were performed except for #3. The ATSDR considered conducting a radiation or heavy metal exposure study of the local residents but decided not to do this. COMPLETED.

Next Steps: USEPA will ask the ATSDR to send a letter to the Navajo Environmental Protection Administration stating that all recommendations have been acted upon and to provide a rationale for recommendation #3.

2 parts:
• what needs to be done
• what funds

On site basis, it need to be done. General studies, EPA water & air, USGS. Not proposed further because whether proposal for work.

Takate

Letter from ATSDR
② Evsias - send Nat Lawrence

9. Complete HRS documentation package for King Tutt Mesa. Sampling visit in February; assign Region IX RPM, and begin PRP searches. USEPA is the lead agency but will work with NSP.

Douglas
Responsible Party: USEPA

Current Status: Region 9 aggregated the various sources located in the King Tutt Mesa area to develop one large mega site, the King Tutt Mesa Aggregate. A site reconnaissance was done in early April by Region 9 staff accompanied by NSP staff. An expanded site inspection/remedial investigation was developed and the sampling event is scheduled for the week of June 20. Region 9 is working in cooperation with the Office of Radiation Programs and the National Air and Radiation Environmental Laboratory in Montgomery, Alabama to ensure the appropriateness and adequacy of the technical methods and procedures proposed for the sampling event. Patti Collins is the RPM for the site. She can be reached at (415) 744-2229. A PRP search has been completed by EPA.

Next Steps: Conduct the sampling event. Preliminary sample results are due by early Fall. A draft report of the field sampling activities should be available by December, 1994. If a documentation package is prepared, the earliest potential proposal date to the National Priorities List would be September, 1995. However, it is possible to take care of the site without going the route of the NPL. USEPA will consult with the Navajo Environmental Protection Administration before a documentation package is prepared.

10. Reclamation activities planned for 1994 should be continued by NAMLRD, including those for King Tutt Mesa.

Responsible Party: NAMLRD

Current Status: Unknown

Next Steps: Unknown

11. USEPA requested to look into a de minimus ruling for the Navajo Nation.

Responsible Party: NSP

Current Status: Although Region 9 did not agree to perform this task but it is found to be necessary, in the process of developing an enforcement strategy, the Region will address the status of the Navajo Nation. It is not our intention to sue the Navajo Nation.

Next Steps:

12. Navajo EPA will review the NAMLRD/OSM standards and provide

comments to NAMLRD.

Responsible Party: NSP

Current Status: Unknown

Next Steps: Unknown

13. Identify all structures contaminated with mining wastes (about 25-30 houses).

Responsible Party: NAMLRD/NSP/Radon Program

Current Status: Region 9 will participate in addressing this action as part of the King Tutt Mesa site investigation. Additionally, the Navajo Radon Program receives money from Region 9 to conduct radon surveys in Navajo homes.

Next Steps: Region 9's RPM along with the NSP will develop a pilot project and protocol for homes that were constructed with uranium containing rocks.

14. Funding for work on homes not located within NPL sites.

Responsible Party: Congressional Representatives

Current Status: Unknown. NAMLRD and NSP will have to provide input.

Next Steps: Unknown

15. USEPA and NSP will develop criteria for NPL caliber sites, criteria for prioritizing potential CERCLA sites, and criteria for aggregating sites.

Responsible Party: USEPA and NSP

Current Status: USEPA and NSP have met in May to discuss such criteria. Additionally, Region 9 will have a meeting in July in Las Vegas to discuss the site screening criteria.

Next Steps: Integrating the Region 9 SACM process with the Navajo Superfund Program SACM process.

16. Funding for NSP to perform cost recovery and to perform PRP searches early in the site assessment process.

Responsible Party: USEPA and NSP

Current Status: The Superfund Core Program Cooperative Agreement mechanism will be used to assist the NSP in developing cost recovery regulations. The Superfund PA/SI Cooperative Agreement currently allows for a limited PRP search for sites that are

being evaluated as potential NPL sites.

Next Steps: --USEPA will continue to provide assistance to NSP for the PRP searches until NSP is ready to do this task.

17. NSP agreed to produce and distribute the meeting minutes.

Responsible Party: NSP

Current Status: Being done and is on-going.

Next Steps: On-going.